

1-28-02

Receipt



Express Mail No.: EL 477 033 978 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: John C. Reed

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FEB 08 2002

TECH CENTER 1600/2900

Application No.: 09/724,425

Group Art Unit: 1635

Filed: November 28, 2000

Examiner: M. Schmidt

For: REGULATION OF BCL-2 GENE  
EXPRESSION

Attorney Docket No.: 10412-026

**REQUEST FOR CORRECTION OF FILING RECEIPT**

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

Sir:

Applicant encloses the original Filing Receipt and a copy highlighting the necessary corrections in connection with the above-identified application. Specifically, the Continuing Data as Claimed by Applicant is incorrect. Please correct the Continuing Data as Claimed by Applicant so that it reads:

THIS APPLICATION IS A CON OF 09/375,514 08/17/1999  
WHICH IS A CON OF 09/080,285 05/18/98 ISSUED 6,040,181 3/21/00  
WHICH IS A CON OF 08/465,485 06/05/95 ISSUED 5,831,066 11/03/98  
WHICH IS A CON OF 08/124,256 09/20/93 ABN  
WHICH IS A CIP OF 07/840,716 02/21/1992 ABN  
WHICH IS A CIP OF 07/288,692 12/22/1988 ABN

Please make the appropriate correction and issue a corrected filing receipt. Applicants believe that no fee is required in connection with this request, because the error appears to be on the part of the Patent and Trademark Office. However, if a fee is required,

please charge the fee to Pennie & Edmonds LLP deposit account no. 16-1150. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date January 24, 2002

by: *Jacqueline Rem*  
*Reg No. 43,492*  
*Laura A. Coruzzi*  
30,742

Laura A. Coruzzi

(Reg. No.)

PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090

Enclosure

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/724,425 ✓	11/28/2000 ✓	1635 ✓	1678	10412-026	16	55	7

CONFIRMATION NO. 7441

## FILING RECEIPT



\*OC000000005765217\*

Laura A Coruzzi  
Pennie & Edmonds LLP  
1155 Avenue of the Americas  
New York, NY 10036-2711

Date Mailed: 02/14/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

John C. Reed, Carlsbad, CA; ✓

## Continuing Data as Claimed by Applicant

THIS APPLICATION IS A CON OF 09/375,514 08/17/1999  
WHICH IS A CIP OF 07/840,716 02/21/1992 ABN  
WHICH IS A CIP OF 07/288,692 12/22/1988 ABN

## Foreign Applications

If Required, Foreign Filing License Granted 02/14/2001

Projected Publication Date:

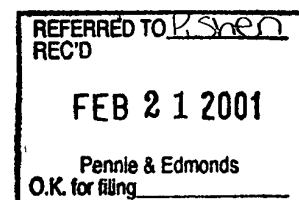
Non-Publication Request: No

Early Publication Request: No

## Title

Regulation of BCL-2-gene expression ✓

## Preliminary Class



514

Data entry by : BARNES, CAROL

Team : OIPE

Date: 02/14/2001



**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

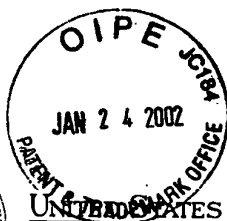
No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
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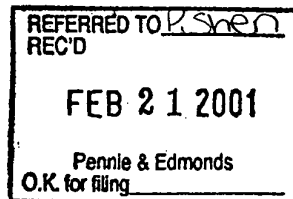
Non-Publication Request: No

Early Publication Request: No

## Title

Regulation of BCL-2-gene expression ✓

Preliminary Class



514

Data entry by : BARNES, CAROL

Team : OIPE

Date: 02/14/2001



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WASHINGTON, DC 20231  
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09724425	11/28/00	John C. Reed	10412-026

Laura A. Coruzzi  
Pennie & Edmonds LLP  
1155 Avenue of the Americas  
New York, NY 10036-2711

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#10/CFR FEB 08 2002  
N.E. TECH CENTER 1600/2900

Date Mailed: 02/01/02

**RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT**

**Claims, Fees, Inventors and Continuity**

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The total number of claims appearing on the Filing Receipt does not include multiple dependent claims. The total fee appearing on the Filing Receipt includes the cost of multiple dependent claims that were present at the time the application was filed.
- ☐ The filing fee is correct. It may include additional claims fees and/or the surcharge under 37 CFR 1.16(e) for filing an oath/declaration or basic filing fee after the application filing date.
- ☐ The inventor information may be truncated if the family name consists of more than 50 characters (letters and spaces combined) and if the given name consists of more than 50 characters (letters and spaces combined).
- ☐ The inventor's residence allows for up to 40 characters (letters and spaces combined).
- ☐ The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. (See MPEP 605.02).
- ☐ The docket number allows a maximum of 25 characters.
- ☒ The priority or continuity will not be entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.

☐ Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an amendment or Application Data Sheet.

☐ Foreign priority will appear on the Filing Receipt in the following order:  
**Country, Application number, Filing date.**

☐ The person signing on behalf of the deceased inventor is reflected on the Filing Receipt as the legal representative.

☐ The filing date of a parent application cannot be changed by this request. A petition to correct the filing date in the parent application is required.

  
\_\_\_\_\_  
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Office of Initial Patent Examination  
(703) 308-1202